

RECEIVED

OCT 12 2001

Please type a plus sign (+) inside this box → ☒

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TECH CENTER 1600/2900 PTO/SB/05 (4/98)
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))	Attorney Docket No.	CL000728
	First Inventor or Application Identifier	VENTER, J. Craig
	Title	DETECTION KITS, SUCH AS NUCLEIC ...
	Express Mail Label No.	

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231	
1. <input type="checkbox"/> * Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing).	5. <input type="checkbox"/> Microfiche Computer Program (Appendix)	
2. <input checked="" type="checkbox"/> Specification [Total Pages 21] (preferred arrangement set forth below) <ul style="list-style-type: none">- Descriptive title of the Invention- Cross References to Related Applications- Statement Regarding Fed sponsored R & D- Reference to Microfiche Appendix- Background of the Invention- Brief Summary of the Invention- Brief Description of the Drawings (if filed)- Detailed Description- Claim(s)- Abstract of the Disclosure	6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) <ul style="list-style-type: none">a. <input checked="" type="checkbox"/> Computer Readable Copy (CD Rom)b. <input type="checkbox"/> Paper Copy (identical to computer copy)c. <input checked="" type="checkbox"/> Statement verifying identity of above copies	
3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 1]	ACCOMPANYING APPLICATION PARTS 7. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 8. <input type="checkbox"/> 37 C.F.R. § 3.73(b) Statement of Power of Attorney (when there is an assignee) 9. <input type="checkbox"/> English Translation Document (if applicable) 10. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 [Copies of IDS Citations] 11. <input type="checkbox"/> Preliminary Amendment 12. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) * Small Entity Statement filed in prior application, Status still proper and desired 13. <input type="checkbox"/> Statement(s) (PTO/SB/09-12) 14. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) 15. <input checked="" type="checkbox"/> Other: List of Inventors & Priority Petition Under 37 CFR 1.183 CD-R CL000728CDA	
4. Oath or Declaration [Total Pages] <ul style="list-style-type: none">a. <input type="checkbox"/> Newly executed (original or copy)b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d)) (for continuation/divisional with Box 16 completed)<ul style="list-style-type: none">i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).		
* NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).		
16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: _____ Prior application information: Examiner _____ Group / Art Unit: _____ For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.		
17. CORRESPONDENCE ADDRESS <input type="checkbox"/> Customer Number or Bar Code Label or <input checked="" type="checkbox"/> Correspondence address below (Insert Customer No. or Attach bar code label here)		
Name: Celera Genomics Corp. Attn: Robert Millman, Patent Director Address: 45 West Gude Drive, C2-4#20 City: Rockville State: MD Zip Code: 20850 Country: US Telephone: 240-453-3067 Fax: 240-453-3084		
Name (Print/Type): Robert A. Millman Registration No. (Attorney/Agent): 36,217 Signature: [Signature] Date: 07/11/2001		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



RECEIVED

OCT 12 2001

TECH CENTER 1600/2900

RECEIPT OF THE FOLLOWING IS ACKNOWLEDGED IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE:

In re Appln. Serial No. (to be assigned)

Atty Dkt No.: CL000728

- ☒ Utility Patent Application Transmittal
- ☒ Utility Patent Application (21 pages, plus 1 sheet drawing):
 - 18 pages specification
 - 2 pages claims (claims 1-16)
 - 1 page abstract
 - 1 sheet drawing
- ☒ List of Inventors and Priority Information (1 page)
- ☒ Submission of CD-R and Sequence Listing CD-rom
- ☒ Petition Under 37 CFR 1.183 to Suspend Rules and Allow Submission of Sections of Application on CD-R Format
- ☒ Return receipt postcard

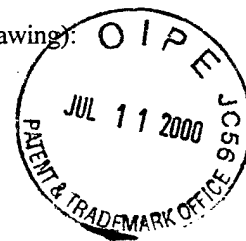
BOX: PATENT APPLICATION
Please affix serial number and return by mail

RECEIPT OF THE FOLLOWING IS ACKNOWLEDGED IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE:

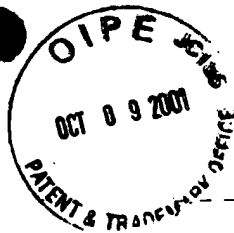
In re Appln. Serial No. (to be assigned)

Atty Dkt No.: CL000728

- ☒ Utility Patent Application Transmittal
- ☒ Utility Patent Application (21 pages, plus 1 sheet drawing):
 - 18 pages specification
 - 2 pages claims (claims 1-16)
 - 1 page abstract
 - 1 sheet drawing
- ☒ List of Inventors and Priority Information (1 page)
- ☒ Submission of CD-R and Sequence Listing CD-rom
- ☒ Petition Under 37 CFR 1.183 to Suspend Rules and Allow Submission of Sections of Application on CD-R Format
- ☒ Return receipt postcard



BOX: PATENT APPLICATION
Please affix receipt date stamp and return



RECEIVED

OCT 12 2001

TECH CENTER 1600/2900

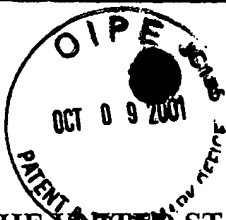
From

Applicant: VENTER, J. Craig et al. CDA "A"
Docket No.: CL000728-PROV
Recorded to Disk: July 11, 2000
For: DETECTION KITS, SUCH AS NUCLEIC ACID ARRAYS,
FOR DETECTING THE EXPRESSION OR 10,000 OR MORE
DROSOPHILA GENES AND USES THEREOF
Filing date: July 11, 2000
Application No.: (to be assigned)

From

Applicant: VENTER, J. Craig et al. CDA "B"
Docket No.: CL000728-PROV
Recorded to Disk: July 11, 2000
For: DETECTION KITS, SUCH AS NUCLEIC ACID ARRAYS,
FOR DETECTING THE EXPRESSION OR 10,000 OR MORE
DROSOPHILA GENES AND USES THEREOF
Filing date: July 11, 2000
Application No.: (to be assigned)

DISK POCKET / MAILER
Handle With Care
FIRST CLASS MAIL



RECEIVED

OCT 12 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TECH CENTER 1600/2900

In re Application of:

VENTER et al.

Serial No. (to be assigned)

Filed: July 11, 2000

For:

DETECTION KITS, SUCH AS NUCLEIC ACID
ARRAYS, FOR DETECTING THE EXPRESSION OR
10,000 OR MORE DROSOPHILA GENES AND USES
THEREOF

Art Unit:

Examiner:

Atty. Docket: CL000728

SUBMISSION OF CD-R

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

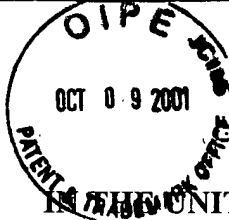
Applicant submits herewith a CD-R labelled CL000728CDA as referenced in the transmittal sheet of the above-identified application. The CD-R contains a MS Word file and Sequence Listing file identified in the accompanying Petition under 37 CFR 1.183.

Respectfully submitted,

By: Robert A. Millman
Robert A. Millman
Reg. No. 36,217

Date: 07/11/2000

CELERA GENOMICS CORP.
45 West Gude Drive
Rockville, MD 20850, C2-4#20
(240) 453-3067



#5 1655
10-15-01
μCD-Rom

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re Application of: J. Craig VENTER et al.

Art Unit: 1655

OCT 12 2001

Serial No. 09/614,150

Examiner: S. Zitomer

TECH CENTER 1600/2900

Filed: July 11, 2000

Atty. Docket: CL000728

For: DETECTION KITS, SUCH AS NUCLEIC ACID
ARRAYS, FOR DETECTING THE EXPRESSION OF
10,000 OR MORE DROSOPHILA GENES AND USES
THEREOF

**Response to Office Action and
Transmittal Letter Providing Submission of CD-R**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action mailed October 3, 2001, Applicants submit herewith CD-Rs labeled CL000728CDR Copy 1 and Copy 2. The CD-Rs contain the following files:

1. File **SEQLIST 43006+2.TXT** contains a copy of the sequence listing of the present application. File size is 180,628 KB, dated July 11, 2000.
2. File **Drosophila_Genes_Transcripts_Proteins.doc** provides the results of detailed computer analysis of the Drosophila Genome. The file provides for every identified Drosophila gene/coding region, including genomic nucleic acid sequences that span each gene, predicted transcript sequences, and predicted protein sequences. The size of this file is 118,675 KB and is stored as an MSWord document and labeled Figure Sheet 1 through 20,819, dated July 7, 2000.
3. File **728_Table_1.TXT** is the same as Item 2 above, but saved as an ASCII file. As such, it contains no new matter. File size is 111,490 KB, dated October 8, 2001.

The material contained on the CD-R (in duplicate) is hereby incorporated by reference pursuant to 37 CFR 1.77(b)(4).



Background

On July 11, 2000, Applicants submitted the above-referenced application together with a List of Inventors and Priority Information, Submission of CD-R and Sequence Listing CD-ROM together with two (2) copies of the CD-ROM, and Petition Under 37 CFR 1.183 to Suspend Rules and Allow Submission of Sections of Application on CD-R Format. Copies of the Receipt Postcards, Transmittal, Petition, CD-R mailers, and Submission of CD-R are attached.

This application was filed before the modification of Patent Office rules to allow the submission of data on CD-R, hence the filing of a Petition to do so. The file **Drosophila_Genes_Transcripts_Proteins.doc** contains the drawing figures of the application and is 20,819 pages in length. The file **SEQLIST 43006+2.TXT** is in excess of 20,000 pages in length. Due to the large size of these files, the printed copies of these files were not filed; however, the computer readable copies were filed on July 11, 2000 in duplicate.

In Conclusion

The CD-Rs (in duplicate) referred to above include copies of the computer readable files as filed on July 11, 2000 (Items 1 and 2). In addition, and in accordance with section 1.52(e)(1), Applicants have submitted herewith the drawing figures in the alternative as a table (Item 3.). The table (Item 3) is identical to the figures (Item 2) submitted on July 11, 2000 except that the table is saved in ASCII format in order to comply with Patent Office rules for submission of tables on CD-R. Therefore, the table (item 3) contains no new matter and merely provides previously submitted data in ASCII format.

Since the printed copy of the sequence listing has not been provided due to sheer volume, Applicants respectfully assert that a statement that the content of the paper and computer readable copies are the same is not necessary.

It is respectfully believed that this application complies with all requirements and is now in condition for processing.

Respectfully submitted,
CELERA GENOMICS

Date: October 9, 2001

Celera Genomics Corporation
45 West Gude Drive, C2-4#20
Rockville, MD 20850
Tel: 240-453-3067
Fax: 240-453-3084

By: 

Justin D. Karjala, Reg No. 43,704